



ŌTOROHANGA DISTRICT LICENSING COMMITTEE

Decision	018-0549/SP1705
<u>IN THE MATTER</u>	the Sale and Supply of Alcohol Act 2012
<u>AND</u> <u>IN THE MATTER</u>	of an application by Otorohanga Bowls, Croquet and Recreation Club Incorporated for a special licence pursuant to section 138 of the Act

DECISION OF THE DISTRICT LICENSING COMMITTEE

1. The application for a special licence is granted. The special licence may issue immediately.
2. Otorohanga Bowls, Croquet and Recreation Club Incorporated is authorised to sell and supply alcohol, at the Otorohanga Bowls, Croquet and Recreation Club situated at 52 Te Kawa St, Otorohanga to any person attending a private function booked by New Zealand Riding for the Disabled Association (NZRDA group) in Otorohanga, holding their fundraising event.
3. This licence is subject to the following conditions:
 - a) A copy of this licence with all the conditions must be displayed in a prominent place so all persons can read it (and all staff must be familiar with the conditions).
 - b) Alcohol may be sold only on the following days and during the following hours:

Friday 28 March 2025 4:30 pm to 11:30 pm
 - c) Alcohol may be sold or supplied to people present participating in the event this licence is issued for.
 - d) The entire premises is undesignated.
 - e) The holder of a manager's certificate or a properly notified manager shall be on duty and on the premises at all times alcohol is sold.

- (i) All staff will be trained in their responsibilities under the Act.
 - (ii) Evidence of age documents will be requested from any person appearing to be under the age of 25.
 - (iii) There must be no consumption of alcohol by staff or managers immediately before or during their shifts.
- f) There must be no sale or supply of alcohol to minors or intoxicated persons and there must be displayed at every point-of-sale appropriate signs detailing these restrictions.
 - g) The area where alcohol is to be sold and consumed is described in the plan date stamped as received by the District Licensing Committee on 10th January 2025 and no alcohol is to be taken out of this area.
 - h) Drinking water must be freely available from the bar and water cooler and this must be clear to customers, while the premises is open for the sale and supply of alcohol.
 - i) Food must be available for consumption on the premises at all times when open for the sale of alcohol along the following lines: Catered finger foods, buffet or a la carte meals. The availability should be clear to customers and food should be actively promoted.
 - j) A range of low-alcohol and non-alcoholic drinks must always be available when the premises are open for the sale of alcohol.
 - k) A telephone must be freely available for customers to call for transport and staff must assist if required. Telephone numbers for alternative forms of transport from the premises must be displayed.
 - l) Alcohol may be sold in the following types of containers only: bottles and glasses.

REASONS

1. This is an application by the Otorohanga Bowls, Croquet and Recreation Club Incorporated for a special licence for a fundraising event to be held at their premises, 52 Te Kawa St, Otorohanga on Friday 28 March 2025 4:30 pm to 11:30 pm
2. This application was received more than 20 working days prior to the event as required by section 137 of the Act.
3. The Liquor Licensing Inspector, Police and Medical Officer of Health have no objection to this application for a special licence (s 141). Accordingly, this application is decided on the papers (s 202).
4. The object of the Act is to ensure that the sale and supply of alcohol is undertaken safely and responsibly, and the harm caused by excessive or inappropriate consumption of alcohol is minimised (s 4).
5. In deciding whether to grant a special licence the District Licensing Committee must have regard to the criteria in s 142 of the Act. Therefore, this committee must consider the following questions within the framework of the purpose and object of the Act:
 - a) What is the nature of the event? Does the applicant propose to engage in the sale of goods or provision of services other than those directly relating to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments and food?

- b) Is the applicant suitable?
 - c) Will the amenity and good order of the locality be reduced to more than a minor extent by the effects of the issue of the licence?
 - d) Are the days and hours during which the applicant proposes to sell alcohol reasonable?
 - e) Is the design and layout of the premises suitable? Are any areas of the premises designated restricted or supervised areas?
 - f) Does the applicant have appropriate systems, staff and training to comply with the law? What steps will the applicant take to ensure that alcohol is not sold to prohibited persons?
 - g) What proposals does the applicant have in relation to the sale and supply of non-alcoholic drinks and food, low-alcohol drinks and the provision of help with or information about alternative forms of transport from the premises?
 - h) Have the Inspector, Police and Medical Officer of Health raised any relevant considerations?
 - i) Does the application comply with the Ōtorohanga District Local Alcohol Policy?
6. The licensing committee may refuse a special licence even if there was no objection to the application (s 144). Sections 146 – 149 of the Act outline the compulsory and discretionary conditions for a special licence.

Should the special licence be granted?

- 7. The general nature of the event is a fundraising event. This event is not considered a “large scale event” to which section 143 of the Act applies. The licensing committee is satisfied that the proposed trading hours are reasonable.
- 8. The Licensing Inspector reports that the application does comply with the Ōtorohanga District Local Alcohol Policy.
- 9. The licensing committee is satisfied that the Otorohanga Bowls, Croquet and Recreation Club Incorporated is a suitable applicant to hold a special licence. The club currently holds a club licence and has demonstrated compliance with the Sale and Supply of Alcohol Act 2012. The issue of a special licence for this event will allow the applicant to sell alcohol to non-members of the club attending the event. A Duty Manager will be present on the premises for the duration of the proposed event to ensure compliance with the Act. The licensing committee is satisfied that proposed hours are reasonable.
- 10. There is one certified manager who holds a manager’s certificate responsible for compliance for this event, John Appleton (club secretary), and 3 committee members to assist. The licensing committee expects Earnest Foster to brief all volunteer bar staff on their responsibilities under the Act and the conditions of this licence prior to the event to ensure they are aware of their responsibilities and obligations. Earnest Foster and John Appleton will take responsibility for the management of the event and ensure that it complies with the Act.
- 11. The licensing committee is satisfied that suitable measures will be taken to ensure that alcohol is sold and supplied responsibly, and that harm caused by inappropriate or excessive consumption of alcohol is minimised.
- 12. The club room will be the only facility utilised for the duration of the event, despite the club grounds encompassing the clubhouse, two greens, and associated sheds and green shelters being designated. The outside green, designated for golf croquet use, is excluded from the licensed area. Alcohol consumption is restricted to within the club room gates. The clubhouse layout includes a purpose-built kitchen, male and female restrooms, bar, lounge/dining area furnished with tables, chairs, and a pool table, storage room, and office. Additionally, there is a small outdoor seating area to the right of the bar, which is included in the licensed area. Both the principal and rear entrances to the club room are visible from the bar and

kitchen. The bar also offers an excellent view towards the main entrance to the club field, which is situated outside the club room but within the designated area.

13. The licensing committee is satisfied that the applicant has submitted a menu with the application which is considered substantial and compliant with section 142(1) (k) (i) regarding its provision. The provision of low and non-alcoholic drinks will be low alcohol beer and mild ale, tea, coffee, and juice. Water will be freely available as bottles at the bar and at the kitchen.
14. In terms of alternative transport options, there is a free phone and club committee offer themselves as sober drivers and this is promoted on a sign.

Conclusion

15. The licensing committee is satisfied that the grant of the special licence with the appropriate conditions will ensure the safe and responsible supply of alcohol and the minimisation of harm caused by excessive or inappropriate use of alcohol.
16. Therefore, the application for a special licence is granted.

Dated at this 18th day of February 2025



Cr Roy Johnson
Deputy Chair
Ōtorohanga District Licensing Committee